

REMARKS/ARGUMENTS

THE INVENTION

This invention is the use of mass spectroscopy and biopolymer ladders of peptides to detect covalent modifications of parent molecules.

Applicants acknowledge with appreciation the withdrawal of the §112 based rejections and the Examiner's acknowledgment of the priority date of May 27, 1993.

STATUS OF THE CLAIMS

Claims 64-70 are pending. Claims 64-74 were pending. Claims 64-72 and 74 were rejected as anticipated or obvious in view of prior art. Claim 73 was objected to.

Claim 64 has been amended to incorporate the limitations of claim 73. Claims 71-74 have been canceled.

OBJECTIONS

Claim 73 is objected to and the Examiner states that the claim would be allowable if written in an independent form.

CLAIM AMENDMENTS

Claim 64 has been amended to incorporate the limitations of dependent claim 73. More specifically, Claim 64 has been amended to reflect the use of the preferred chemistry of PIC and PITC and the acid conditions used to react and cleave the terminal amino acids. Grammatical changes have been made to make the claim read more clearly. No new matter is incorporated.

REJECTIONS

35 U.S.C. §102 and §103

With the exception of claim 73, the pending claims are rejected as anticipated and obvious over prior art. Claim 73 was indicated to be allowable if rewritten to include the limitations of claim 64 and other intervening claims. This has been done.

Although applicants have amended claim 64 to recite the use of specific and preferred chemistry, they wish to clarify the record with regard to the current rejections. The original claims recited detecting a mass difference between a formed polypeptide and a modified polypeptide. Claims having the term “formed polypeptide” have been previously granted by the USPTO, and applicants submit that the Examiner’s current interpretation and application of prior art involves an unreasonably broad interpretation of the previously presented claims given the context of the specification and plain meaning of the phrase.

Applicants reserve their right to pursue such claims in a continuation application should they elect to file one.

That said, and in view of the current amendments limiting the scope of claim 64 to the scope of claim 73, applicants submit that all the outstanding concerns raised by the Examiner have been addressed under both §102 and §103.

CONCLUSION


In view of the foregoing, applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 10/792,176
Amdt. dated September 14, 2007
Reply to Office Action of April 30, 2007

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


Kenneth A. Weber
Reg. No. 31,677

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
Attachments
KAW:kaw
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